



CITY OF BATTLE CREEK
COMMUNITY SERVICES DEPARTMENT – PLANNING and ZONING

**MEETING NOTICE OF THE
ZONING BOARD OF APPEALS**

DATE: Tuesday, March 12, 2019

TIME: 4:00 p.m.

PLACE: Room 301, City Hall (Commission Chambers)

1. **CALL TO ORDER:**
2. **ATTENDANCE:**
3. **ADDITIONS OR DELETIONS TO AGENDA:**
4. **CORRESPONDENCE:**
5. **OLD BUSINESS:**
6. **NEW BUSINESS:**
 - A. **Z-04-19:** Petition is for Raymond Bisel, 81 N. LaVista Blvd, Battle Creek, MI 49015. Parcel# 8340-18-236-0. Request is made for a Dimensional Variance to allow a seven or eight foot vinyl privacy fence. Chapter 1298.06(b).
 - B. **Z-05-19** Petition is for GLR Advanced Recycling at 1021 N. Raymond Rd., Battle Creek, MI 49017. Parcel #0155-00-026-0. Request is made for a Dimensional Variance to allow structure within 15' of the property line. The structure, a 75x50x10 concrete pad with 10' walls with metal and fabric overhang, was previously erected without a permit and subject to a recent fire.
7. **APPROVAL OF MINUTES:** February 12, 2018 Zoning Board Meeting Minutes
8. **COMMENTS BY THE PUBLIC:**
9. **COMMENTS BY THE MEMBERS:**
10. **ADJOURNMENT:**

The City of Battle Creek will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered in the meeting upon notice to the City of Battle Creek. Individuals with disabilities requiring auxiliary aids or services should contact the City of Battle Creek by writing or calling the following: Office of the City Clerk, P. O. Box 1717 / 10 North Division - Suite 111, Battle Creek, MI 49016 / Phone: (269) 966-3348 (Voice) / (269) 966-3348 (TDD)



Battle Creek Zoning Board of Appeals

Staff Report

Meeting: March 12, 2019

Appeal #Z-04-19

To: Zoning Board of Appeals
From: Glenn Perian, Senior Planner
Date: March 4, 2019
Subject: Petition for a dimensional variance (Z-04-19) to permit the construction of an 8' tall privacy fence in a side and rear yard on property located at 81 N. Lavista Boulevard in an R-1B zoning district.

Summary

This report addresses a petition from Raymond Bisel, seeking approval of a Dimensional Variance (Z-04-19), to waive the height limitation for fences in a side and rear yard located in an R-1B "Single-Family Residential District" on property located at 81 N. Lavista Boulevard. The Applicant would like to construct an 8' fence to provide additional privacy for the rear yard, specifically in the summer months, for the personal use of their pool. The request is for an 8' privacy fence contrary to Chapter 1298.06 GENERAL PROVISIONS BY ZONING DISTRICT AND USE;

*(b) Residential Districts and properties used for residential purposes regardless of Zoning District. No fence in a front yard shall exceed four feet in height and **no fence in any rear or side yard shall exceed six feet in height.***

The Applicant states "the normal zoning code of six feet would not provide adequate privacy and comfort to reasonable enjoy the use of the property as it exists". Assessing records show that the lot is approximately 73.5' x 120', approximately 8,820 square feet or .202 acres in size. There is currently a 450 square foot pool in the rear yard of the property and the Applicant states that the 8' tall privacy fence will provide a reasonable buffer between neighbors. There is a sketch drawing of the existing home and pool and the proposed location of the privacy fence in your packet. The appellant is expected to be at the hearing to discuss any questions you may have related to this request.

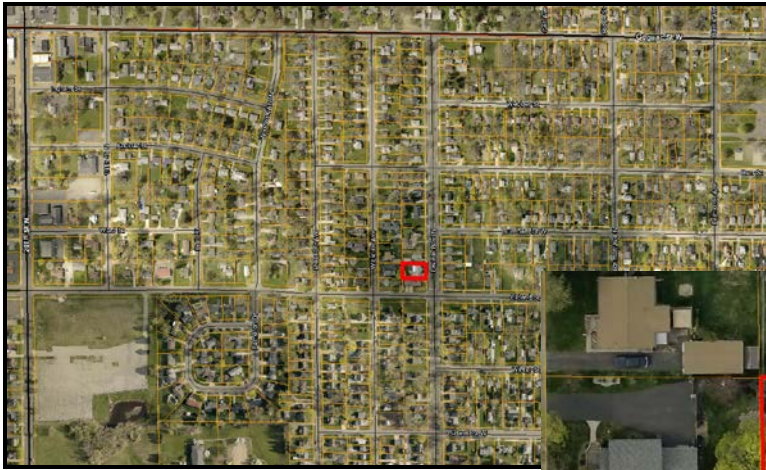
Legal Description

TERRITORIAL HEIGHTS LOT 236 & S1/2 OF LOT 237

Public Hearing and Notice Requirements

An advertisement of this public hearing was published in the Battle Creek SHOPPER NEWS on Thursday, February 21, 2019 – not less than the 15 days before the hearing as required by State Law and ordinance.

Notices of the public hearing were also sent by regular to property owners and occupants located within 300 feet of the subject parcel. As of the writing of this report, planning staff has not received any correspondence related to this request.



Subject-81 N Lavista Blvd.



Applicable Zoning Ordinance Provisions

Chapter 1234.04 states:

b) The Board shall have the authority to grant the following variations:

(1) Nonuse. If there are practical difficulties for nonuse variances relating to the construction, structural changes, or alterations of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance in the way of carrying out the strict letter of the zoning ordinance, then the Board may grant a variance so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice is done. The Board may impose conditions as otherwise allowed under the Michigan Zoning Enabling Act, MCL 125-3101 et seq.; and

(c) Variance Standards. In consideration of all appeals and proposed exceptions to or variations from this Zoning Code, the Board shall, before making any such exceptions or variations, in a specific case, first determine that the applicant has met all of the following conditions as set out for the specific type of variance requested:

(1) Nonuse (dimensional) Variances:

A. When it can be shown that a practical difficulty would, in fact, exist if the strict non-use requirements of this zoning ordinance (e.g., lot area, width, setbacks, building height, etc.) were applied to a specific building project, the Board may grant a variance from these requirements. The practical difficulty from a failure to grant the variance must include substantially more than a mere inconvenience or a mere inability to attain a higher financial return.

B. The practical difficulty must be exceptional and peculiar to the subject parcel of land which do not generally exist throughout the City and may not be self-imposed or the result of an earlier action by the applicant. If the parcel of land could be reasonably built upon in conformance with the requirements of this zoning ordinance by simply relocating or redesigning the structure(s), then a variance shall not be granted.

C. A variance shall not be granted when it will alter or conflict with the intent of this Ordinance considering the public benefits intended to be secured by this Zoning Code and the rights of others whose property would be affected by the allowance of the variance.

D. Any variance granted shall be the minimum necessary to provide relief for the practical difficulty of the applicant.



Subject-81 N Lavista Blvd

Analysis

Staff has reviewed the application and finds that it meets the requirements for submittal and is considered complete. The Appellant is requesting a variance to construct an 8' tall fence in a side and rear yard. The appellant states that the taller fence will provide adequate privacy while using the rear yard pool. City records show the lot approximately 73.5' x 120', consistent with other properties in the area as seen by the aerial photo on page 2 of this report. The Appellant has supplied additional reasons supporting the request for appeal and they are included with the application and part of this report.

Findings and Recommendation

The Zoning Board of Appeals can approve, approve with conditions, or deny this request. The Zoning Board of Appeals can also table or postpone the request pending additional information. In consideration of all variations from the Zoning Code, the Board shall, before making any such exceptions or variations, in a specific case, first determine that the conditions listed below are satisfied. Planning staff has reviewed these conditions and we do not believe that each condition can be justified in an affirmative manner. We have provided a rationale for each condition set forth below for Dimensional Variances and the Planning staff recommends that the Zoning Board of Appeals deny the Dimensional Variance (Z-04-19) based on the following findings contained in this staff report.

- A) Staff finds that practical difficulty does not in fact exist if the strict requirement of the ordinance is applied to this specific building project and that the Board is authorized to deny the variance in this case. The lot is consistent in size with others in the area and other

homeowners have pools in a rear yard. There is nothing exceptional related to this particular lot or property that will be alleviated by allowing a taller fence than what the ordinance will allow.

- B) Staff does not believe that the practical difficulty is exceptional and peculiar to the subject parcel and the conditions associated with the property generally do exist throughout the City. The fact that a pool is in the rear yard does not make the property exceptional. Staff finds that the claimed privacy restrictions were created by the earlier actions of the property owner. We find no extreme narrowness, slope, or size of the lot that makes this property unique.
- C) Staff believes that if the variance is granted that the intent of the Ordinance will be altered or that the rights of others will be compromised by allowing the applicant to build a taller fence in the side and rear yard without unique conditions associated to this particular property.
- D) Staff believes that the variance requested exceeds the minimum necessary to provide relief from any stated practical difficulty in that the appellant has the ability to construct a six foot tall privacy fence in the side and rear yard and is asking for more than what neighboring property owners are permitted to do.

Attachments:

The following information is attached and made part of this Staff Report.

1. ZBA Petition Form (Petition #Z-04-19)



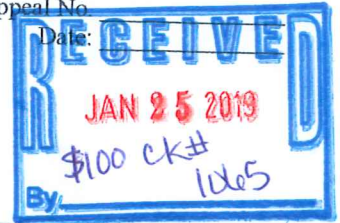
City of Battle Creek

Community Services – Planning and Zoning Division

City Hall • 10 N. Division Street, Ste. 117 • Battle Creek, Michigan 49014
Ph (269) 966-3320 • Fax (269) 966-3555 • www.battlecreekmi.gov

Appeal No. _____

Date: _____



APPLICATION FOR A VARIANCE ZONING BOARD OF APPEALS

An Appeal to the Zoning Board of Appeals to authorize a variance from the requirements of the Planning and Zoning Code (Part Twelve) of the City of Battle Creek.

Name of Appellant: RAYMOND BISEL

81 N. LA VISTA BLVD

Address: BATTLE CREEK, MI 49015

Phone: 269-986-4840

Name of Owner (if different from Appellant): _____

Address: _____

Phone: _____

TO THE ZONING BOARD OF APPEALS: Request is hereby made for permission to:
(Choose One) Extend Erect Appeal Use Convert Enclose

Description: VINYL PRIVACY FENCE FOR POOL
AND YARD.

Contrary to the requirements of Section(s) 1298.06 of the Planning and Zoning Code, upon the premises known as 81 N LA VISTA BLVD. Battle Creek, MI, in accordance with the plans and/or plat record attached.

The proposed building or use requires Board action in the following area(s):

APPROVAL TO REPLACE EXISTING CHAIN LINK FENCE
WITH A SEVEN OR EIGHT FOOT VINYL PRIVACY FENCE.

Property/Tax I.D. # No. 8340 - 18 - 236 - 0 Size of the Lot: Width 73.5' Depth 235'

Size of Proposed Building: Width N/A Depth _____ Height _____

The following reasons are presented in support of this appeal (complete each section):

- (a.) This property cannot be used in conformance with the ordinance without the requested variance because:

(SEE ATTACHED)

Variance for fence

81 N. La Vista Blvd, Battle Creek, MI 49015

a) The property cannot be used in conformance with the ordinance without the requested variance because:

The normal zoning code of six feet would not provide adequate privacy and comfort to reasonably enjoy the use of the property as it exists.

b) This problem is due to a unique situation not shared in common with nearby property owners because:

There are no other raised inground pools nearby that have an inadequate buffer zone between neighbors to reasonably enjoy the use of the property.

c) Granting the variance would not alter the essential character of the area because:

Practically all homes in the area have fences on their property including chain link, wood and vinyl. The property is already enclosed on all sides with fences separating the properties. This is not a new fence installation but simply replacing the old inadequate unsafe one.

d) The problem is not self-created because:

The built in pool was existing when home was purchased and installed above ground level. This reduces the existing four foot chain link fence to a mere thirty one inches above the pool. There is also a safety and liability issue as there are two small children living next door and we feel eliminating the gate between the properties and putting a high fence would be beneficial to all concerned.

(b.) This problem is due to a unique situation not shared in common with nearby property owners because:

(c.) Granting the variance would not alter the essential character of the area because:

(d.) The problem is not self-created because:

(e.) **USE VARIANCES ONLY** It is not possible to use this particular property for any other use currently allowed in the zoning district because:

*I hereby affirm that, to the best of my knowledge, all the above and accompanying statements and drawings are correct and true. **In addition, I give permission to the City of Battle Creek's Planning Department staff to access my property, if necessary, to take photographs of the subject of this appeal.***

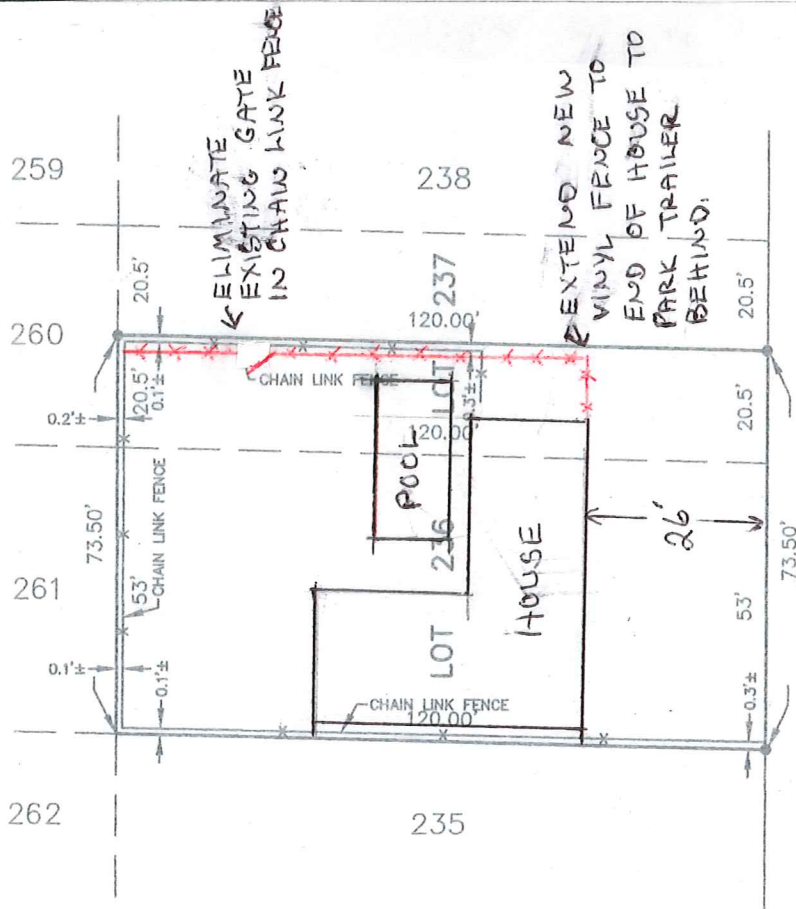
RAYMOND BISEL
(Print Appellant Name)

Raymond Bisel
(Signature of Appellant)

81 N. LA VISTA BLVD., BATTLE CREEK, MI 49015
(Address of Appellant)

If you require additional information or assistance in filling out this application, please contact the Planning Department at (269) 966-3320.

NEW VINYL FENCE PLAN.



- LEGEND**
- = SET IRON STAKE
 - = FOUND IRON STAKE
 - △ = SET MAG NAIL
 - = SET WOOD STAKE
 - = CONCRETE MONUMENT
 - ≡ = MEASURED DATA
 - R = RECORDED DATA
 - = FENCE
 - = NOT TO SCALE



LAVISTA BOULEVARD

DESCRIPTION:

Situated in the City of Battle Creek, Calhoun County, Michigan.

Lot No. 236 and the South 1/2 of Lot No. 237 of TERRITORIAL HEIGHTS, according to the Plat thereof recorded in Liber 6 of Plats, on page 27, in the Office of the Register of Deeds for Calhoun County, Michigan.

SUBJECT to easements and restrictions of record.

NOTE:
THIS DRAWING IS VALID ONLY IF IT CONTAINS THE
SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL.

CLIENT		RAYMOND B SEL		 ROBERT R. CARR P.S. NO. 20704	
JOB NO	SCALE	DRAWN BY	DATE	CARR & ASSOCIATES LLC	
	1" = 30'	RWM	NOVEMBER 1, 2018		

Thursday, January 24, 2019

Variance for fence

81 N. La Vista Blvd, Battle Creek, MI 49015

The neighbors next door are very nice people but they do make enjoying our property a bit of an issue. We don't have a problem with them living there as they have a right to enjoy there life also. But as you can see in the photos, they are right on top of our pool. They are a Taiwan family and have lots of people living there and will have as many as eight or more cars parked there at times. They park off the drive on the grass right along our fence which I believe is not allowed. They also work on their cars as well as have friends come hang out and work on theirs. There will be people hanging out by the garage smoking and drinking and making noise after quiet hour. I have witnessed them getting drunk and staggering to their cars and drive away. ***I'm not making a complaint and don't need anything done about it. This info is just between you and I to help explain my reason for the variance. I can have a talk with the owner if it gets too out of hand.***

That being said, I do need a privacy fence put up so that we can enjoy our back yard, sitting on my back deck and my wife and I can float in our pool this summer without having five guys staring at us. We just moved into this home in October and have Justice Fence coming in the beginning of April.

If I could get a variance for an eight foot fence for the side I'll take it. I know that's only for commercial properties so I'll take whatever you can give me.

Thanks for your consideration in this matter,

Raymond Bisel

269-986-4840

scubaray624@gmail.com









EXISTING FENCES ON
BACK SIDE OF PROPERTY.

* THERE IS NO WAY TO
GET ANYTHING BEHIND
HOUSE. RAISED POOL STRUCTURE
GOES TO FENCE ON ONE
SIDE AND GARAGE GOES TO
FENCE ON OTHER SIDE. BACK
OF HOUSE IS LAND LOCKED
AND CANNOT GET TRAILER
IN YARD. NEED TO EXTEND
NEW FENCE TO FRONT OF
HOME TO ENCLOSE TRAILER
OUT OF VIEW.









Battle Creek Zoning Board of Appeals

Staff Report

Meeting: March 12, 2019

Appeal #Z-05-19

To: Zoning Board of Appeals
From: Glenn Perian, Senior Planner
Date: March 4, 2019
Subject: Petition for a dimensional variance (Z-05-19) to permit the construction of 75' x 50' x 10' structure in a front yard on property located at 1021 N. Raymond Rd. in an I-2 zoning district.

Summary

This report addresses a petition from GLR Advanced Recycling, seeking approval of a Dimensional Variance (Z-05-19), to waive the front yard setback requirement for structures located in an I-2 "Heavy Industrial District" on property located at 1021 N. Raymond Rd. The Applicant has already constructed the structure (without the required permits) and is asking for a variance to leave the building in its current location, 15'2" from the front property line. The request is in conflict with Chapter 1278.01 GENERAL Requirements; 25' for the required front yard in an I-2 "Heavy Industrial" zoning district.

The Applicant states they were "unaware we needed a building permit when we erected it". The project was done by a contractor without a permit. Assessing records show that there are 5 lots owned by JMR Properties LLC along Raymond Rd. consisting of approximately 32 acres of land as seen on the aerial on page 3 of this report. The applicant operates a car recycling business on the property and states the building is used to cover their workers. There is a partial drawing of the property including the building in question in your packet. The appellant is expected to be at the hearing to discuss any questions you may have related to this request.

Public Hearing and Notice Requirements

An advertisement of this public hearing was published in the Battle Creek SHOPPER NEWS on Thursday, February 21, 2019 – not less than the 15 days before the hearing as required by State Law and ordinance.

Notices of the public hearing were also sent by regular to property owners and occupants located within 300 feet of the subject parcel. As of the writing of this report, planning staff has not received any correspondence related to this request.



Properties owned by JMR and approximate location of structure

Applicable Zoning Ordinance Provisions

Chapter 1234.04 states:

b) The Board shall have the authority to grant the following variations:

(1) Nonuse. If there are practical difficulties for nonuse variances relating to the construction, structural changes, or alterations of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance in the way of carrying out the strict letter of the zoning ordinance, then the Board may grant a variance so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice is done. The Board may impose conditions as otherwise allowed under the Michigan Zoning Enabling Act, MCL 125-3101 et seq.; and

(c) Variance Standards. In consideration of all appeals and proposed exceptions to or variations from this Zoning Code, the Board shall, before making any such exceptions or variations, in a specific case, first determine that the applicant has met all of the following conditions as set out for the specific type of variance requested:

(1) Nonuse (dimensional) Variances:

A. When it can be shown that a practical difficulty would, in fact, exist if the strict non-use requirements of this zoning ordinance (e.g., lot area, width, setbacks, building height, etc.) were applied to a specific building project, the Board may grant a variance from these requirements. The practical difficulty from a failure to grant the variance must include substantially more than a mere inconvenience or a mere inability to attain a higher financial return.

B. The practical difficulty must be exceptional and peculiar to the subject parcel of land which do not generally exist throughout the City and may not be self-imposed or the result of an earlier action by the applicant. If the parcel of land could be reasonably built upon in conformance with the requirements of this zoning ordinance by simply relocating or redesigning the structure(s), then a variance shall not be granted.

C. A variance shall not be granted when it will alter or conflict with the intent of this Ordinance considering the public benefits intended to be secured by this Zoning Code and the rights of others whose property would be affected by the allowance of the variance.

D. Any variance granted shall be the minimum necessary to provide relief for the practical difficulty of the applicant.



Subject structure



Analysis

Staff has reviewed the application and finds that it meets the requirements for submittal and is considered complete. The Appellant is requesting a variance to construct a structure 15' from the front property line in an I-2 zoning district. The appellant states that the building was constructed without permits, which was confirmed by the Planning Department. City records show the canopy structure caught fire in April of 2018 and the structure was again put back up without the proper permits.

Furthermore, a court judgement was issued for the property owners to submit the required documents in order for a permit to be issued for the structure. The Appellant has supplied additional reasons supporting the request for appeal and they are included with the application and part of this report.

Findings and Recommendation

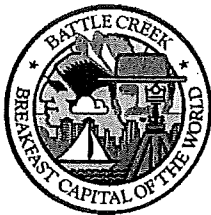
The Zoning Board of Appeals can approve, approve with conditions, or deny this request. The Zoning Board of Appeals can also table or postpone the request pending additional information. In consideration of all variations from the Zoning Code, the Board shall, before making any such exceptions or variations, in a specific case, first determine that the conditions listed below are satisfied. Planning staff has reviewed these conditions and we do not believe that each condition can be justified in an affirmative manner. We have provided a rationale for each condition set forth below for Dimensional Variances and the Planning staff recommends that the Zoning Board of Appeals deny the Dimensional Variance (Z-05-19) for a front yard setback variance based on the following findings contained in this staff report.

- A) Staff finds that practical difficulty does not in fact exist if the strict requirement of the ordinance is applied to this specific building project and that the Board is authorized to deny the variance in this case. The lot and combined property under common ownership is more than adequate to accommodate a building of this size and comply with all zoning requirements for placement of a building. There is nothing exceptional in the way of extreme narrowness, slope, or size of the lot related to this property.
- B) Staff does not believe that the practical difficulty is exceptional and peculiar to the subject parcel and the conditions associated with the property generally do exist throughout the City. The fact that the structure was constructed without the required permits does not make the property exceptional. Staff finds that the conditions associated with the requested variance was created by the earlier actions of the property owner (building without the required permits) and that if the proper steps were followed during construction, City staff would have informed the Applicant of the setback requirements. We find no extreme narrowness, slope, or size of the lot that makes this property unique.
- C) Staff believes that if the variance is granted that the intent of the Ordinance will be altered or that the rights of others will be compromised by allowing the applicant to build without obtaining the proper permits and without unique conditions associated to this particular property.
- D) Staff believes that the variance requested exceeds the minimum necessary to provide relief from any stated practical difficulty in that the appellant has the ability and room on the lot to construct a building that complies with City codes and is asking for more than what neighboring property owners are permitted to do.

Attachments:

The following information is attached and made part of this Staff Report.

1. ZBA Petition Form (Petition #Z-05-19)



City of Battle Creek

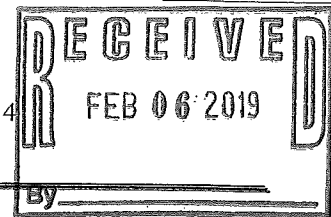
Community Services – Planning and Zoning Division

City Hall • 10 N. Division Street, Ste. 117 • Battle Creek, Michigan 49014

Ph (269) 966-3320 • Fax (269) 966-3555 • www.battlecreekmi.gov

Appeal No. 2-05-19

Date: _____



APPLICATION FOR A VARIANCE

ZONING BOARD OF APPEALS

Parcel 0155-00-026-0

An Appeal to the Zoning Board of Appeals to authorize a variance from the requirements of the Planning and Zoning Code (Part Twelve) of the City of Battle Creek.

Name of Appellant: GLR ADVANCED RECYCLING

Address: 30835 GROESBECK HWY Phone: 734-266-2700
ROSELAND, MI 48066

Name of Owner (if different from Appellant): JME PROPERTY LLC

Address: 5061 N ENERGY DR, FLINT, MI 48505 Phone: 810-785-9759

TO THE ZONING BOARD OF APPEALS: Request is hereby made for permission to:
(Choose One) Extend Erect Appeal Use Convert Enclose

Description: 75'x50'x10' CONCRETE PAD WITH 10' FOOT WALLS

WITH METAL AND FABRIC OVERHANG. NO PLUMBING, HEAT
OR WATER. THE PAD WAS POURED WITHIN 15' OF FENCE.

Contrary to the requirements of Section(s) _____ of the Planning and Zoning Code, upon the premises known as 1021 N RAYMOND RD Battle Creek, MI, in accordance with the plans and/or plat record attached. 49017

The proposed building or use requires Board action in the following area(s):

THE ~~POD~~ BIG TOP WAS ERRECTED 15 FEET FROM THE FENCE LINE.

THE CITY REQUIRES 25 FEET. THE OVERHANG CAN COME DOWN
BUT THE CONCRETE WAS POURED AT 15 FEET AND CANNOT BE MOVED

Property/Tax I.D. # No. _____ - _____ - _____ Size of the Lot: Width _____ Depth _____

Size of Proposed Building: Width 75' Depth 50' Height ~~25'~~ 25'

The following reasons are presented in support of this appeal (complete each section):

- (a.) This property cannot be used in conformance with the ordinance without the requested variance because:

THE CONCRETE FLOOR AND WALLS WERE POURED
AT 15 FEET FROM THE FENCE LINE.

- (b.) This problem is due to a unique situation not shared in common with nearby property owners because:

GCR OPERATES CAR RECYCLING AND WE USE THE
BIG TOP FOR COVERAGE FOR THE WORKERS. GCR WAS UNAWARE
WE NEEDED A BUILDING PERMIT WHEN WE ERECTED IT

- (c.) Granting the variance would not alter the essential character of the area because:

THE STRUCTURE IS ONLY A SMALL PART OF THE
OPERATION GCR DOES, AND THE CONCRETE FLOOR &
WALLS HAVE BEEN POURED WITHIN 15 FEET AND CANNOT
BE MOVED.

- (d.) The problem is not self-created because:

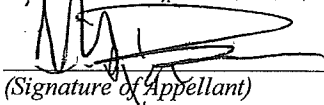
THE PROBLEM AROSE FROM GCR HIRING A CONTRACTOR WITHOUT
A PERMIT, HOWEVER, GCR HAS THESE BIG TOP'S AT OUR
LUNONIA, POET HUMAN AND FLINT YARDS. WE NEVER NEEDED A
PERMIT BEFORE, SO WE WERE UNAWARE BATTLE CREEK REQUIRES
(e.) USE VARIANCES ONLY It is not possible to use this particular property for any other use ONE.

currently allowed in the zoning district because:

I hereby affirm that, to the best of my knowledge, all the above and accompanying statements and drawings are correct and true. In addition, I give permission to the City of Battle Creek's Planning Department staff to access my property, if necessary, to take photographs of the subject of this appeal.

GCR ADVANCED RECYCLING, MICHAEL BASSIRPOUR

(Print Appellant Name)

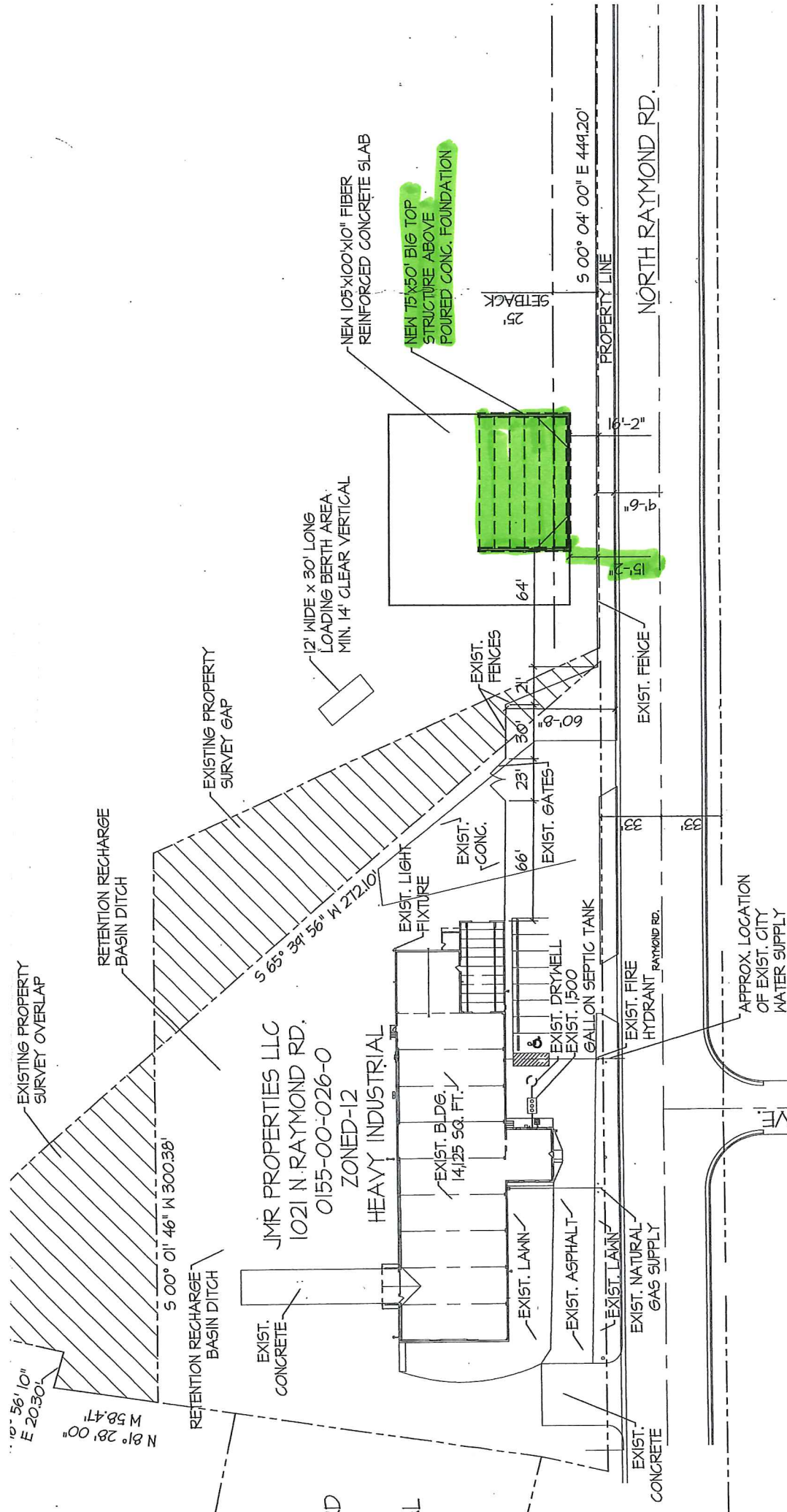


(Signature of Appellant)

30835 GROSSBECK HWY, ROSEVILLE, MI 48066

(Address of Appellant)

If you require additional information or assistance in filling out this application, please contact the Planning Department at (269) 966-3320.



CONSUMERS CONCRETE
CORPORATION
1020 N RAYMOND RD.
10-180-008-00
ZONED-LI

RAYMOND ROAD
REDIMIX, RICK BAKER
1008 N RAYMOND RD.
10-180-001-03
ZONED-GC
GENERAL COMMERCIAL

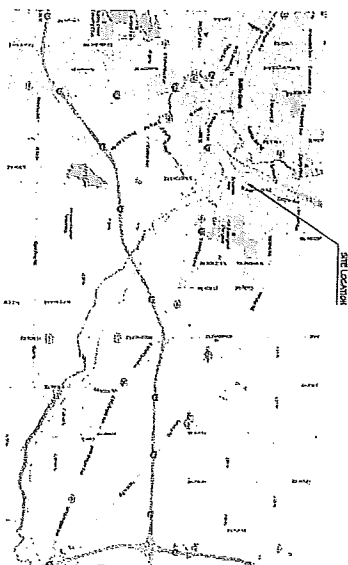
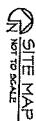
BATTLE CREEK, MI. 49015
PHONE: (269) 462-9425

CITY OF BATTLE CREEK,
BUILDING INSPECTOR, DON MILKUSON
32 - STORAGE - LOW HAZARD
CONSTRUCTION TYPE, IIB (NOT SPRINKLED
ZONED - I-2 (HEAVY INDUSTRIAL)
PARCEL: 0013-00-024-0 (14 ACRES)

ALL WORK MUST COMPLY WITH:
2015 MICHIGAN BUILDING CODE
2014 NATIONAL ELECTRICAL CODE (NEC)
2015 INTERNATIONAL FIRE CODE

SHEET INDEX
7188 - TITR 4/19/87

SHOT - PLAN VIEW WALL SECTION & NOTES
C100 - SITE PLAN



PROPERTY OWNER
JFR PROPERTY LLC
5501 DORSET DR
PLUM, MI 48065

TENANT:
GLS RECYCLING
12600 STARKE RD.
LIVONIA, MI 48030
CONTACT: GUY SCOTT
PH: 734-249-1051
CELL: 313-663-2042
Jfr.arnold@jfrproperty.com

<p>RACE II, LQD 34.5% PLUMB, ROOFING ROOF SMOKE/LQD, GATED SMOKE/LQD 50%/5%, SMOKE EXPOSURE FACTOR C₁ = 1.00 SMOKE LQD EXPOSURE FACTOR C₂ = 1.00 THERMAL FACTOR C₃ = 1.00 RISK DESIGN II</p>	<p>RACE II, LQD 34.5% PLUMB, ROOFING ROOF SMOKE/LQD, GATED SMOKE/LQD 50%/5%, SMOKE EXPOSURE FACTOR C₁ = 1.00 SMOKE LQD EXPOSURE FACTOR C₂ = 1.00 THERMAL FACTOR C₃ = 1.00 RISK DESIGN II</p>
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AERIAL
NOT TO SCALE



CONTRACTORS TO FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION. ALL LOCAL, STATE, & FEDERAL CODES ARE TO BE FOLLOWED ACCORDINGLY.

RELEASE APPROVAL

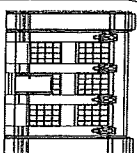
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CONTRACTOR RESPONSIBLE FOR VERIFYING ALL DIMENSIONS, & REPORTING VARIANCES. CONTRACTOR TO CALL LOCAL UTILITY SERVICE BEFORE DIGGING OR WORKING NEAR OVERHEAD ELECTRIC WIRES.

☐ FOR BIDDING - PERMIT APPROVAL ONLY
☐ FOR CONSTRUCTION
☐ FINAL RECORD

SEAL:

DL BY:	DALE SMITH
SCALE:	AS SHOWN
DESCR. BY:	RALPH A. WHARRY P.E.
CHECKED BY:	RALPH A. WHARRY P.E.
JOB NO.:	#4764 & #4766-181
DATE:	AUGUST 15, 2018



FINANCIAL

427 CAPITAL AVE. SW
BATTLE CREEK, MI. 49015
PHONE: (269) 962-0423

PROBES

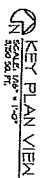
GLR RECYCLING
NEW 75'x50' BUILDING
1151 N. RAYMOND RD
BATTLE CREEK, MI

PAUING TIME

TITLE SHEET

SECRET NO

7100



RELEASE APPROVAL

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NOT PUBLISHED AT ADVERTISER'S REQUEST.
CONTRACTOR RESPONSIBLE FOR WORKING
ALL DIMENSIONS, & REPORTING VARIANCE
CONTRACTOR TO CALL LOCAL UTILITY STRONG
SUPPORT DURING OR WORKING NEAR
OVERHEAD ELECTRIC WIRES

- ☐ PRELIMINARY -- FOR REVIEW ONLY
- ☐ FOR BIDDING -- PERMIT APPROVAL ONLY
- ☐ FOR CONSTRUCTION
- ☐ FINAL RECORD

SEAL

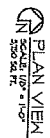
DR. BTH	DATE SURTH
SCALE	AS SHOWN
SSGN. BTH	RALPH A. WHARRY P.E.
CHGD. BTH	RALPH A. WHARRY P.E.
JOB NO.	#4764 & #4766-11
DATE	AUGUST 15, 2011

427 CAPITAL AVE. SW
BATTLIE CREEK, WY. 82015
PHONE: (208) 562-8425

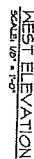
GLR RECYCLING
NEW 75'x50' BUILDING
1151 N. RAYMOND RD.
BATTLE CREEK, MI

PLAN VIEW
WALL SECTION,
ELEVATIONS

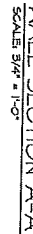
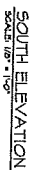
5101



PROVIDE PORTABLE FIRE EXTINGUISHERS AS REQUIRED BY THE INTERNATIONAL FIRE CODE & THE MECHANICAL BUILDING CODE. BASIC MINIMUM EXTINGUISHER RATING 20-B MAXIMUM DISTANCE OF TRAVEL TO EXTINGUISHERS 50'



DO TOP STRUCTURE,
15 OZ. TRANSLUCENT, FLAME RETARDANT, PVC
FABRIC W/ POLYESTER SCRAM OVER HEAVY WALL
GALV. TUBULAR STEEL TRUSSES @ 8'-4" O.C.



BIG TOP STRUCTURE ABOVE
 SEE ATTACHED PLANS
 PVC FABRIC COVER
 VENT FLUYS
 BIG TOP STRUCTURE
 15' OZ. TRANSLUCENT, FLAME
 RETARDANT, PVC FABRIC W/
 POLYESTER SCRIED OVER HEAVY
 WALL GALV. TOWER STEEL
 THUSSES 80'-4" O.A.

ZONING BOARD OF APPEALS
MEETING MINUTES
February 12, 2019
4:00 P.M.

CALL TO ORDER:

Mr. James Moreno, Chairperson called meeting to order at 4:00 P.M.

ATTENDANCE:

Members Present:

Deland Davis	
Bill Hanner	Mark Jones
James Moreno	Michael Delaware

Staff Present:

Marcel Stoetzel, Deputy City Attorney
Glenn Perian, Senior Planner, Planning Dept.
Eric Feldt, Planner, Planning Dept.
Laura Rounds, Customer Service Rep., Planning Dept.

ADDITIONS OR DELETIONS TO THE AGENDA:

CORRESPONDANCE: Email from Tara Hampton received on 2.12.19

OPENING COMMENTS: *Mr. Jim Moreno, Chairperson stated the meeting procedure where everyone present may speak either for or against an appeal and that he will ask for a staff report to be read and then open the public hearing. At the public hearing, persons may come forward and state their name and address for the record as it is being recorded and then speak either for or against an appeal. The public hearing will then be closed and the zoning board will discuss and make a decision. If a petition has been denied the petitioner has the right to appeal to Circuit Court.*

OLD BUSINESS:

NEW BUSINESS:

Z-03-19 (32 W. Michigan Ave):

Petition is for Tara Hampton 5610 N. Red Pine Circle Portage MI 49009. Request is made for a Dimensional Variance to allow a sign to project more than 18" allowed by the ordinance to be installed. Chapter 1296.07.

Chair Mr. Moreno asked the applicant to come forward and speak regarding the request for a variance.

- Applicant is not present due to weather
- John Hart City of Battle Creek Development Director spoke in favor of the variance
- Glenn Perian gave staff report

Chair Mr. Moreno asked if there are any members of the public present to either speak for or against the variance.

Chair Mr. James Moreno asked if there was any further discussion; seeing none, he would close the Public Hearing and entertain a motion.

MOTION WAS MADE BY MR. DELAND DAVIS AND SECONDED BY MR. BILL HANNER TO APPROVE APPEAL #Z-03-19 FOR A DIMENSIONAL VARIANCE BASED ON THE FINDINGS OUTLINED IN THE STAFF REPORT, THAT ALLOWS A SIGN TO PROJECT MORE THAN 18" ALLOWED BY THE ORDINANCE TO BE INSTALLED WITH THE CONDITIONS RECOMMENDED IN THE STAFF REPORT.

MR. JAMES MORENO ASKED FOR ANY ADDITIONAL COMMENTS, THERE WAS DISCUSSION AMONGST THE BOARD REGARDING UNIQUENESS AND APPLICANT, A VOTE WAS TAKEN; FOUR APPROVED (DELAND DAVIS, MICHAEL DELAWARE, BILL HANNER, JAMES MORENO) ONE OPPOSED (MARK JONES); MOTION APPROVED.

Chair James Moreno asked for motion on January 2019 meeting minutes.

MOTION MADE BY MR. DELAND DAVIS ON THE JANUARY 8, 2019 ZONING BOARD OF APPEALS MINUTES, SECONDED BY MR. MIKE DELAWARE. ALL IN FAVOR; NONE OPPOSED; MINUTES APPROVED.

COMMENTS BY THE PUBLIC: None

COMMENTS BY THE MEMBERS / STAFF:

- Discussion on the requested tattoo letter that was sent to City and Planning Commissions and feedback so far.
- Discussion on requesting that they Planning Supervisor look at the ordinance regarding signage in the Downtown Business District.
- Discussion on appropriate topics for on and off the record and location of those discussions.

ADJOURNMENT: Chair James Moreno made a motion for the meeting to be adjourned; all stated in favor, meeting was adjourned at 4:52 P.M.

Submitted by: Laura Rounds Customer Service Representative, Planning Department